

The Young Daily Press.

No. 6544 號四四百五十六第

日七金月十年寅戌結光

HONGKONG, THURSDAY, NOVEMBER 21ST, 1878.

四時報

號章十二月壹十英 洋

PRICE \$2 PER MONTH.

SHIPPING.

NOTICES OF FIRMS.

BANKS.

AUCTIONS.

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INTIMATIONS.

ARRIVALS.

November 19, HOLSTEN, German 3-m. sch.,
251, Kuklo, Newchwang 9th Nov.,
From CHINAPOL.

November 20, MENELAUS, British str., 1,550,
Scot. Liverpool 23rd Sept., Port Said
1st October, and Singapore 11th Nov.,
General BREWER & SWARF.

November 20, CHALMERS, German bark, 330,
T. Nisbet, Newchwang 9th November,

Deutsche SISIKER & CO.,
November 20, ALPEO, British bark, 655,
Fedor, from Wappingon General
CHINAPOL.

November 20, YANGET, British str., 782,
Schultz, Canton 19th November, Gen-
eral SIMSEN & CO.

November 20, PANEO, British str., 642, W.
Hyde, Swatow 10th November, Mer-
curius & CO.

November 20, SOHRE, German brig, 210, H.
Bing, Tianjin 11th November, Gen-
eral WIRLIE & CO.

November 20, OLYMPIA, German str., 785,
Nagel, Swatow 19th Nov., General
KUOT ACSONCO.

November 20, BOA CAO, Siam bark, 393,
C. Gange, 11th November, Beams
CHINAPOL.

November 20, ALMA, Swedish bark, Ohlson,
Newcastle, N.S.W., 8th October, Coal-
MAYER & CO.

November 20, MANHA II, Ger. bark, 511,
H. C. GORDON, Newchwang 11th Nov.,
Beams - Wm. FUSTA & CO.

CLEARANCES.

AT THE HARBOUR MASTER'S OFFICE,
NOVEMBER 20TH.

Jessie Jamison, for Quinon
Yangtze, British steamer, for Shanghai.

Argyll, British steamer, for Yokohama.

Date, British steamer, for Bangkok.

St. Idee, French bark, for Sydney.

DEPARTURES.

November 20, KWANTUNO, British str., for
East Coast.

November 20, HERAT, British ship, for Cal-
cutta.

November 20, NORTHERN STAR, Brit. bk., for
Quinon.

November 20, AMERICA, British steamer, for
Haiphong.

November 20, GEELONG, British steamer, for
Shanghai.

November 20, TRALEES, British steamer, for
Quinon.

November 20, FAERA, German corvette, for
Cancion.

PASSENGERS.

For Menden, str., from Liverpool, to -
From Liverpool for Hongkong - Mr. and
Mrs. Grandy. From Singapore - Mr. Herbert
and 231 Chinese. From Liverpool for Shanghai -
Rev. Mr. Elvin and 4 children. Miss
Jennings, Miss Crisp, and Miss Smith.

For Olympia, str., from Swatow -
53 Chinese.

For Paneo, str., from Swatow -
13 Chinese.

TO DEPART.

The following passengers will leave by the
P. & O. steamship *Glenlee* to-day at noon -

From Hongkong for Aden - Mr. Gutman.

To Singapore - Mr. H. Roberts. For Venice -
Mr. G. Oliver. For Bombay - One Indian.

From Yokohama for Venice - Messrs. G. Gil-
bert, G. M. Gilbert, and A. Gilbert. For
Southampton - Mr. and Mrs. J. C. Hall and
child. For Suez - Dr. Veedor.

REPORTS.

The German brig *Sophie* reports left Tianjin
on 11th November, and had strong monsoon
throughout.

The Swedish bark *Alma* reports left New-
castle, N.S.W., on 8th October, and had fine
weather throughout.

The German steamer *Olympia* reports left
Swatow on 15th November, and had fresh
monsoon and fine weather throughout.

The British steamer *Paneo* reports left
Swatow on 18th November, and had moderate
breeze and fine weather throughout.

The German bark *Mindu II*, reports left
Newchwang on 11th November, and had strong
NE. winds in the Formosa Channel.

The German 3-m. schooner *Hofschle* reports
left Newchwang on 9th November, and had fresh
monsoon and fine weather throughout.

The British steamer *Melanies* reports left
Liverpool on 20th September, and had fine
weather throughout.

The British steamer *Melanies* reports left
Liverpool on 11th November, and had strong
monsoon and fine weather throughout.

The British steamer *Paneo* reports left
Swatow on 18th November, and had moderate
breeze and fine weather throughout.

The German bark *Mindu II*, reports left
Newchwang on 11th November, and had strong
monsoon and fine weather throughout.

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The British steamer *Melanies* reports left
Liverpool on 20th September, and had fine
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the remainder of his original sentence. If then, the number of prisoners can be so far reduced by this means as to keep it at a point for the economical working of our present goal in its sufficient, it ought certainly to be adopted in preference to ploughing the Colony into the expense of building a new goal. But apart from this view of the case, even on His Excellency's own showing it would appear that no greater necessity exists for a new goal or an enlargement of the present one than has existed for several years past. In spite of the exceptional predisposing causes for an increase in the number of prisoners, such as Mr. Haynes' on Monday, the number in goal at the present time is less than it was at this date in 1876, and a census annual cannot disappear without reasonably looking for a future decrease until the number reaches something like its old level. The increase in Kwang-tung, which is supposed to have had a large effect on the increase of the number now held in prison, and if this had the effect attributed to it, that effect must be proportionate to the cause to operate. The increase has, admittedly, been quite exceptional, allowing that crime may be expected to increase in the same ratio as the population, the increase in the population has not been so great as to account for a fifth of the increase in the number of prisoners. It was in the latter half of 1876 that the increase assumed noticeable proportions, it continued during 1877, and now it is to be hoped it is on the wane. The goal, however, was not found unequal to the strain put upon it by the temporary increase in the number of its inmates, and now, when the strain is beginning to lessen, it seems altogether out of place to commence any agitation for goal extension. If a new goal be built or the present one enlarged, what is the object that is expected to be attained? Will life and property in the Colony be rendered safer? will the cost to the Colony be less? These are the only two considerations which ought to be allowed any weight in discussing the matter. It is our own protection, not the safety of the criminal, that we have to consider. As to the first point, we are inclined to think that with a comparatively small outlay the present goal could be rendered as safe, if not more so, than any one else to the latter; a large establishment would probably necessitate a large staff while the first cost would be enormous. The most feasible plan of dealing with the case is to render the punishment in the goal of such a deterrent nature as to make men dread a repetition of it, and to relieve the building if it becomes overcrowded by granting conditional pardons. What becomes of the men sent away is a question that might very well be inquired into. No doubt some of them do congregate on the borders of British Kowloon; some also may, as Mr. Haynes says, have gone to Cochin when the emigration was going largely on to that place, but the number, we should imagine, would be very small. The vast majority of deported and conditional-pardon men we believe, having found Hongkong, no such happy hunting ground as they had imagined it, return to their native places, there it is to be hoped, to earn their living by honest means. At all events, this Colony gets rid of them, and at that point our interest in them ends.—November 14.

The discussion at the Legislative Council on Monday opened up many questions, but we propose to-day to confine our attention to the subject primarily before the Council, that of goal extension. The Surveyor-General laid four carefully prepared alternative schemes upon the table, and entered into a lucid explanation of them. Each of the first three projects would be well worthy of consideration if the Colony required a new goal, but it has yet to be shown that any such necessity exists. There is a general consensus of opinion as to the excellence of the existing building, and the undesirability of launching into fresh and needless expenditure in this direction. While, however, objecting in *toto* to any new prison-being arrested, it is only right to give due attention to the various schemes. Mr. Parkes lays before us two plans for reconstruction and extension of the goal on the existing site, which he names respectively the High Level and the Low Level projects. The former, which coincides in the extension of the goal up to Caine Road, taking in Chancery Lane and the buildings lying between it and Caine Road, is estimated by Mr. Parkes to cost \$150,940. The Low Level scheme would involve the demolition of the present Police Barracks, the site of which would be utilized for the extension of the goal westward. The Police Barracks would have to be built elsewhere, on a site to be purchased. This necessarily enhances the cost of the Low Level project, which is estimated at \$105,700, or \$45,000 more than the High Level scheme. The latter is open to many serious objections, some of which we have already pointed out. The extension of the goal to Caine Road would appreciate the value of the property in the vicinity, and the levelling required would be most expensive owing to the steep character of the ground. Such a day is also very much more than the Colony is able to afford to spend on criminals, and this objection applies, of course, while still greater force to the Low Level scheme. The Stomach's Island scheme, though not quite so expensive as the other two, the estimate for it being \$153,200, would eventually prove the most costly of all, owing to the necessary expense of removing the old buildings, and the bitter memory of its successive abominable ministrations of the hand. It would be a fatal mistake to venture upon another trial of Stomach's Island, simply on the faith of His Excellency's being able to carry out his ideas of making it remunerative, and with the by no means remote probability, referred to by Mr. Dawson of Mr. Haynes' successor, abandoning it in favour of some new idea of his own. This Colony has unfortunately served too long as an asyndic yard for the "idle" of various Governments, the cost of which has relieved the unhappy taxpayers of many thousands of dollars, without deriving any benefit for the money but a gain in ruin and the bitter memory of departed institutions.

We now come to the fourth scheme, which, if one must be adopted, is certainly the most reasonable of those submitted to the Council. But it seems to us that there is still room for economy for the expenditure of the sum of \$88,000 in the extension of the present building. If any further argument were needed in support of this view, it was supplied by His Excellency, the Governor, in the Council Chamber on Monday. He considers that the conditions of life among the Chinese, and their requirements for light and ventilation are very different from those of Europeans. He quotes Dr. Dyson's in support of his opinion, and observes the fact that Chinese do not suffer from disease more extensively than others, avoiding, this so-called "Western sanitary system." In an official minute, also, he has expressed his approval of the essentially Chinese style of dwelling common both to Canton and Hongkong, and which, while economizing space to the utmost, admits of a certain amount of light and ventilation through the small square spaces left at the back called "smoke-holes." How small the amount

of light and ventilation that is admitted is, let, perhaps, have more than a very vague idea. His Excellency, however, has officially expressed the opinion that it is quite sufficient for people who are not in jail. Why the requirements of those who are undergoing punishment for the犯 of the law should be deemed much greater, we are at a loss to conceive. The difference in the mode of breathing space allowed to the criminal in his cell and by the beatitude of the Chinese is very striking. Doctors walking through the goal report, for the purpose of suggesting a change, that the Chinese have a much larger amount of air available to them, and that they have little difficulty in making their respiration. But the question is, do they consider this absolutely necessary? Frederic Stanley Phipps you have been found guilty after a very patient investigation of having as a trustee converted to your own use large sums of money entrusted to him. It is a fraud certainly of the most serious description. Very recently, indeed, I may say the most serious, that has happened in the Colony, we have no doubt, would not be greater if improvements might be effected. Perfection is seldom attained, and often it is always comprising. Victoria Goal is already large enough. Let the separate system be tried as far as the resources of the present structure will admit, the conversion being carried out gradually, and at the smallest possible cost.—November 20.

A COURT OF APPEAL FOR THE FAR EAST.

The divergence in the opinions of the Judges in the case of Regina v. Hofman furnishes another instance of the inconveniences of our present judicial system as regards the trial to be decided by the full court. The full court consists of the two judges, namely, the Chief Justice and the Puisne Judge. When the two courts, of course more weight is given to the decision, on the principle that the learned judges are to be considered the learned judges disagree, the case is as difficult to decide, on the part of the public, as when doctors differ. When this unfortunately happens the Chief Justice gives the casting vote, and the only result of the Puisne Judge's action in the matter is to throw doubt on the soundness of the Chief Justice's views—a most unfortunate result, because the public generally, looking at the matter from an equitable rather than a legal point of view, are also. Our present plan, however, is not to criticize the able judgments delivered yesterday by the two learned Judges, but to point out the anomalous position in which the Court is placed. Referring to this same subject Sir John Saxe, his speech at the Crown Court, quoted Sir Arthur Atterbury, said:—“He thought his esteemed friend, the Colonial Secretary would bear him out in saying that he most strongly opposed the appointment of one Puisne Judge; he always did, and, though he has been much pleased since the case arose, both among the legal profession and the public; it is, whether the prisoner as a criminal assigned in certain states bankrupt, was a public servant of His Majesty, and whether that body, entrusted to him as such could be held for the purposes of the prosecution, to be public ministers. These questions, the Acting Chief Justice answers in the negative, the acting Puisne Judge in the affirmative. We are inclined to agree with the latter view, as we believe the public generally, looking at the matter from an equitable rather than a legal point of view, are also. Our present plan, however, is not to criticize the able judgments delivered yesterday by the two learned Judges, but to point out the anomalous position in which the Court is placed. Referring to this same subject Sir John Saxe, his speech at the Crown Court, quoted Sir Arthur Atterbury, said:—“He thought his esteemed friend, the Colonial Secretary would bear him out in saying that he most strongly opposed the appointment of one Puisne Judge; he always did, and, though he has been much pleased since the case arose, both among the legal profession and the public; it is, whether the prisoner as a criminal assigned in certain states bankrupt, was a public servant of His Majesty, and whether that body, entrusted to him as such could be held for the purposes of the prosecution, to be public ministers. 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